

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, MARCH 21, 2022.

[30]

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Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Silent Tribute.

During the session, Mr. Chan of Quincy took the Chair, declared a brief recess, and at the request of Mr. Wong of Saugus, Mr. Chan of Quincy, Mr. Schmid of Westport, Mr. Mom of Lowell, Ms. Nyguen of Andover, Ms. Robinson of Framingham, Ms. Howard of Lowell and Ms. Uytterhoeven of Somerville, the members, guests and employees stood in a moment of silent tribute to mark the one-year anniversary of the 2021 Atlanta Spa shootings that took the lives of eight people, six of whom were Asian women. These murders deeply impacted the AAPI community and spotlighted the increased violence and discrimination that the AAPI community has experienced as a result of misinformation about the COVID-19 pandemic. As we celebrate Women's History Month, the caucus would like to highlight a recent study that revealed that 74% of Asian women have experienced racism or discrimination in the past 12 months. Just over a week ago, there was yet another brutal attack in New York City. A 67-year-old Filipino woman faced an unprovoked assault where she was punched 125 times while having racial slurs hurled at her. Although she is in stable condition, three other women have been killed in New York in recent months. Acts of racism against the AAPI community are not new, but we hope this news serves to remind us all that our work to fight hate and bigotry is ongoing and requires an enduring commitment to righting systemic wrongs.

Atlanta Spa
shooting.

Mr. Chan of Quincy then read the names of the victims of the March 16th, 2021 Atlanta Spa shooting.

In Memoriam:

Delaina Ashley Yaun,
Xiaojie Tan (sh-ow-je-a tawn),
Daoyou Feng (dow-yo fung),
Paul Andre Michels,
Elcias Hernandez-Ortiz,
Hyun Jung Grant,
Soon Chung Park,
Suncha Kim (soon-cha kim); and
Yong Ae Yue (young a you).

Message from the Governor.

A message from His Excellency the Governor recommending legislation relative to Massachusetts's transportation resources and climate (House, No. 4561), was filed in the office of the Clerk on Thursday, March 17.

Transportation,—
bonds.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Transportation. Sent to the Senate for concurrence.

Special Recognition.

During the session the Chair (Mr. Donato of Medford) declared a brief recess and recognized World Down Syndrome Day as follows:

World Down
Syndrome Day.

The date 3-21 is special as it was selected to signify the uniqueness of the triplication of the 21st chromosome which causes Down Syndrome.

In 2013, the theme of wearing odd socks was initiated to heighten awareness, and over time has also been promoted as Lots of Socks. This recognition is because people with Down Syndrome have an extra chromosome.

Created to raise public awareness, World Down Syndrome Day helps educate the public all while advocating for the rights, inclusion, and well-being of people with Down Syndrome.

Communications.

Communications

From the Executive Office of Health and Human Services (see Section 219 of Chapter 6 of the General Laws) submitting the annual report of the Community Behavioral Health Promotion and Prevention Commission for 2021;

Behavioral health
promotion and
prevention.

From the Department of Transitional Assistance (see Sections 2(B) and 5 of Chapter 18 and Section 3C(d) of Chapter 118 of the General Laws) submitting a report entitled: Transitional Aid to Families with Dependent Children Consolidated Report [copies were forwarded to the committee on Ways and Means, and the committee on Children, Families and Persons with Disabilities, as required by said law];

Transitional
aid to families
with dependent
children.

From the Health Insurance Connector Authority (see Section 15 of Chapter 176Q of the General Laws) submitting a report relative to the status and activities of the Health Connector for fiscal year 2021;

Health
Connector.

From the Division of Capital Asset Management and Maintenance (see Section 75(c) of Chapter 102 of the Acts of 2021) submitting a status report on the participation goals for minority business enterprises and women business enterprises on capital facility projects and state assisted building projects that utilize federal funds appropriated under said act; and

Minority and
women
businesses,—
capital projects.

From the Executive Office of Health and Human Services (see item 4000-0007 contained in Section 2 of Chapter 227 of the Acts of 2020) submitting a report regarding housing and supportive services for unaccompanied youth.

Unaccompanied
youth.

Severally were placed on file.

Orders.

The following order (filed by Mr. Ryan of Boston) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Election Laws be granted until Friday, April 15, 2022, within which time to make its final report on current House document numbered 4482.

Election Laws
committee,—
extension
of time for
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4563) ought to be adopted. Under suspension of the rules, on motion of Mr. Chan of Quincy, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. González of Springfield) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Public Safety and Homeland Security be granted until Wednesday, May 4, 2022, within which time to make its final report on current House document numbered 4476.

Public Safety
and Homeland
Security
committee,—
extension
of time for
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4560) ought to be adopted. Under suspension of the rules, on motion of Mr. Chan of Quincy, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Straus of Mattapoissett) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Transportation be granted until Friday, May 6, 2022, within which time to make its final report on current Senate documents numbered 2256, 2353 and 2356 and current House documents numbered 3482 and 3615.

Transportation
committee,—
extension
of time for
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4564) ought to be adopted. Under suspension of the rules, on motion of Mr. Chan of Quincy, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Petitions.

Mr. Livingstone of Boston presented a petition (accompanied by bill, House, No. 4565) of Jay D. Livingstone (with the approval of the mayor and city council) relative to the Boston Landmarks Commission; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Boston
Landmarks
Commission.

Petitions severally were presented and referred as follows:

By Mr. Cahill of Lynn, a petition (subject to Joint Rule 12) of Daniel Cahill for legislation to further regulate provisions in state procurement contracts involving the use of low embodied carbon concrete.

Procurement,—
carbon concrete.

By Representative Muratore of Plymouth and Senator Moran, a joint petition (subject to Joint Rule 12) of Mathew J. Muratore, Susan L. Moran and others relative to hybrid participation in representative town meetings.

Town meetings,—
hybrid
participation.

By Ms. Peake of Provincetown, a petition (subject to Joint Rule 12) of Sarah K. Peake and Julian Cyr for legislation to establish a sick leave bank for Josalyn Gibson, an employee of the Department of Developmental Services Severally, under Rule 24, to the committee on Rules.

Josalyn
Gibson,—
sick leave.

Papers from the Senate.

A message from His Excellency the Governor recommending legislation investing in the future of our health (Senate, No. 2774), was referred, in concurrence, to the committee on Health Care Financing.

Health
care.

The House Bill relative to the governance, structure and care of veterans at the Commonwealth's veterans' homes (House, No. 4441, amended), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2761.

Veterans'
homes.

Under suspension of the rules, on motion of Mr. Chan of Quincy, the amendment was considered forthwith. The House then non-concurred with the Senate in its amendment; and, on further motion of Mr. Wagner of Chicopee, asked for a committee of conference on the disagreeing votes of the two branches. Representatives Wagner, McMurtry of Dedham and DeCoste of Norwell were appointed the committee on the part of the House. Sent to the Senate to be joined.

Committee of
conference.

Subsequently notice was received from the Senate that said branch had insisted on its amendment, concurred with the House in the appointment of a committee of conference; and that Senators Rush, Velis and Tarr had been joined as the committee on the part of the Senate.

Id.

Bills

Providing for a gender neutral charter in the town of Middleborough (Senate, No. 2778) (on Senate bill No. 1354) [Local Approval Received]; and

Middleborough,—
charter.

Designating March as Fibromuscular Dysplasia awareness month (House, No. 2789) (on Senate bill No. 2124);

Fibromuscular
Dysplasia
month.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Petitions were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Petition (accompanied by bill, Senate, No. 2791) of Susan L. Moran, Julian Cyr, Patrick M. O'Connor, Timothy R. Whelan and others for legislation relative to preventing the discharge of radioactive materials. To the committee on Environment, Natural Resources and Agriculture.

Radioactive
materials,—
discharge.

Petition (accompanied by bill, Senate, No. 2792) of Walter F. Timilty, Paul R. Feeney and William C. Galvin for legislation to establish a sick leave bank for Shana Hicks, an employee of the Department of Public Health. To the committee on Public Service.

Shana
Hicks,—
sick leave.

Reports of Committees.

By Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on

Qualified
data centers.

the petition of Michael J. Finn and others relative to qualified data centers. Under suspension of the rules, on motion of Mr. Chan of Quincy, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Revenue. Sent to the Senate for concurrence.

By Mr. Finn of West Springfield, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill regarding transparency for individuals and guardians (House, No. 193).

By Mr. Coppinger of Boston, for the committee on Community Development and Small Businesses, on a petition, a Bill relative to expanding relief to new businesses established during the COVID-19 pandemic (House, No. 296).

By Mr. Parisella of Beverly, for the committee on Economic Development and Emerging Technologies, on a petition, a Bill to provide direct investment for job creation and business expansion in rural communities (House, No. 504).

By the same member, for the same committee, on a petition, a Bill to promote inclusive entrepreneurship and economic justice (House, No. 505).

By the same member, for the same committee, on a petition, a Bill to strategically plan for the commercial fishing industry (House, No. 508).

By the same member, for the same committee, on a petition, a Bill relative to designated port areas (House, No. 509).

By the same member, for the same committee, on a petition, a Bill enabling the Massachusetts center for employee ownership (House, No. 511).

By the same member, for the same committee, on a petition, a Bill relative to rail-trail construction (House, No. 513).

By the same member, for the same committee, on a petition, a Bill relative to the student entrepreneurial and economic investment fund (House, No. 525).

By the same member, for the same committee, on a petition, a Bill relative to innovations in energy management technologies in regenerative braking for metro trains in the Commonwealth (House, No. 529).

By the same member, for the same committee, on a petition, a Bill establishing the Abigail Adams entrepreneurial program for women (House, No. 533).

By Ms. Decker of Cambridge, for the committee on Public Health, on a petition, a Bill to prevent gun violence (House, No. 2404).

By Mr. Gordon of Bedford, for the committee on Public Service, on House, No. 22 and a part of House, No. 18, a Bill relative to the interest charged on refund buybacks (House, No. 22).

By the same member, for the same committee, on House, No. 23 and a part of House, No. 18, a Bill clarifying and normalizing non-public school service purchases (House, No. 23).

By the same member, for the same committee, on House, No. 53 and a part of House, No. 25, a Bill relative to GIC insurance deductions (House, No. 53).

By the same member, for the same committee, on a petition, a Bill relative to option (D) beneficiaries (House, No. 2556).

By the same member, for the same committee, on a petition, a Bill relative to retirement benefits for Rebecca J. Vanderstelt (House, No. 2558).

By the same member, for the same committee, on a petition, a Bill relative to documentary material or data received by retirement boards (House, No. 2566).

By the same member, for the same committee, on a petition, a Bill relative to creditable service (House, No. 2617).

By the same member, for the same committee, on a petition, a Bill relative to special investigators of the alcohol beverage control commission (House, No. 2625).

Guardians,—
transparency.

New business
relief.

Rural areas,—
jobs.

Minority owned
businesses.

Fishing
industry.

Designated
ports.

Employee
ownership.

Rail-trails.

Students,—
Investment fund.

Metro trains,—
braking.

Abigail Adams
program.

Firearms
screenings.

Retirement
buybacks.

Teachers,—
retirement.

Group insurance
deductions.

Retirement
option (D).

Rebecca
Vanderstelt.

Retirement
boards,— data.

Daniel
Schwemin.

ABCC,—
investigators.

UNCORRECTED PROOF.

By the same member, for the same committee, on a petition, a Bill relative to disability pensions for violent crimes (House, No. 2642).

By the same member, for the same committee, on a petition, a Bill relative to prompt retiree payments (House, No. 2649).

By the same member, for the same committee, on a petition, a Bill relative to the Massachusetts teacher retirement system (House, No. 2658).

By the same member, for the same committee, on a petition, a Bill relative to certain option B and option C retirees (House, No. 2659).

By the same member, for the same committee, on Senate, No. 1696 and House, No. 2682, a Bill relative to retirement for nuclear reactor operators (House, No. 2682).

By the same member, for the same committee, on Senate, No. 1741 and House, No. 2716, a Bill providing fair and equitable line of duty death benefits for public employees (House, No. 2716).

By the same member, for the same committee, on a petition, a Bill relative to the disability or death caused by post-traumatic stress disorder (PTSD) (House, No. 2726).

By the same member, for the same committee, on Senate, No. 1681 and House, Nos. 2748 and 2792, a Bill relative to estimated first pension payments to certain public retirees (House, No. 2748).

By the same member, for the same committee, on a petition, a Bill authorizing the State Retirement Board to grant creditable service to James Wright (House, No. 2752).

By the same member, for the same committee, on a petition, a Bill to provide public safety telecommunications with the same internal benefits as first responders (House, No. 2781).

By the same member, for the same committee, on Senate, No. 1775 and House, No. 2799, a Bill relative to disability retirees and restoration to service (House, No. 2799).

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

By Mr. Coppinger of Boston, for the committee on Community Development and Small Businesses, on a petition, a Bill improving housing opportunities (House, No. 298).

By Mr. Parisella of Beverly, for the committee on Economic Development and Emerging Technologies, on a petition, a Bill relative to the town of Avon (House, No. 510).

By Mr. Ryan of Boston, for the committee on Election Laws, on a petition, a Bill amending the charter of the town of North Andover town meeting warrant posting (House, No. 3747) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill relative to the date for the annual town election in the town of Montague (House, No. 4231) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill establishing representative town meetings (House, No. 4276) [Local Approval Received].

By the same member, for the same committee, on a joint petition, a Bill relative to recall elections in the town of Monterey (House, No. 4311) [Local Approval Received].

By Mr. Gordon of Bedford, for the committee on Public Service, on a petition, a Bill relative to arson investigators (House, No. 2599).

Crimes,—
retirement.

Retirees,—
payments.

Military
service.

Retirement
options.

Nuclear
operators.

Death
benefits.

PTSD,—
retirement.

Retirement,—
first payments.

James Wright,—
retirement.

9-1-1
operators,—
benefits.

Disability
retirees.

Housing
opportunities.

Brockton
economic
target area.

North Andover,—
town meeting.

Montague,—
election.

Milford,—
town meetings.

Monterey,—
recall
elections.

Arson
investigators.

By the same member, for the same committee, on Senate, No. 1743 and House, Nos. 2608, 2669 and 2683, a Bill relative to public safety personnel (House, No. 2608).

Post-retirement earnings.

By the same member, for the same committee, on Senate, No. 1712 and House, No. 2613, a Bill relative to protecting local retirees (House, No. 2613).

Retirees,— insurance.

By the same member, for the same committee, on Senate, No. 1704 and House, No. 2653, a Bill relative to death benefits to surviving spouses of call and volunteer firefighters (House, No. 2653).

Firefighters,— spousal death benefits.

By the same member, for the same committee, on Senate, No. 1737 and House, Nos. 2609 and 2751, a Bill relative to the membership of the PRIM Board (House, No. 2751).

PRIM Board,— membership.

By the same member, for the same committee, on a petition, a Bill relative to police officers and firefighters relative to Chapter 41, Section 111F (House, No. 2760).

Police and firefighters,— leave.

By the same member, for the same committee, on a petition, a Bill authorizing the town of Bourne to exempt the position of Chief of Police from civil service law (House, No. 3864) [Local Approval Received].

Bourne,— civil service.

By the same member, for the same committee, on a petition, a Bill authorizing Holly Thyng to purchase creditable service from the Barnstable county retirement board (House, No. 3968).

Holly Thyng,— retirement.

By the same member, for the same committee, on a joint petition, a Bill authorizing the town of Whately to continue the employment of Edwin Zaniewski (House, No. 4206) [Local Approval Received].

Whately,— Edwin Zaniewski.

By the same member, for the same committee, on a petition, a Bill defining a domestic partner as a spouse and dependent as to the city of Somerville (House, No. 4209) [Local Approval Received].

Somerville,— domestic partners.

By the same member, for the same committee, on a joint petition, a Bill relative to the appointment of police officers in the town of Plymouth (House, No. 4258) [Local Approval Received].

Plymouth,— police.

By the same member, for the same committee, on a joint petition, a Bill concerning the appointment of retired Salem firefighters as special firefighters within the city of Salem (House, No. 4265) [Local Approval Received].

Salem,— special firefighters.

By the same member, for the same committee, on a petition, a Bill to change the number of members of the Insurance Advisory Committee for the town of Milford (House, No. 4275) [Local Approval Received].

Milford,— insurance advisors.

By the same member, for the same committee, on a petition, a Bill authorizing Christopher Arrigo to purchase creditable service from the Barnstable county retirement board (House, No. 4312) [Local Approval Received].

Christopher Arrigo,— retirement.

By Ms. Fiola of Fall River, for the committee on Tourism, Arts and Cultural Development, on Senate, No. 2243 and House, No. 3378, a Bill to expand membership opportunities in local cultural councils (House, No. 3378).

Cultural councils,— membership.

By the same member, for the same committee, on Senate, Nos. 2239 and 2240 and House, Nos. 3377 and 3385, a Bill to protect Native American heritage (House, No. 3385).

Native American objects.

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Engrossed Bills.

Engrossed bills

Abolishing the board of police in the city of Fall River (see House, No. 2645);
and

Bills
enacted.

Abolishing the board of fire commissioners in the city of Fall River (see House,
No. 2646);

(Which severally originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for
final passage, were passed to be enacted; and they were signed by the acting Speaker
and sent to the Senate.

Orders of the Day.

The Senate Bill renaming the board of selectmen in the town of Hingham to the
select board (Senate, No. 2588), reported by the committee on Bills in the Third
Reading to be correctly drawn, was read a third time; and it was passed to be
engrossed, in concurrence.

Third
reading
bill.

The House Bill relative to municipal light plant participation in green
communities (House, No. 4351), reported by the committee on Bills in the Third
Reading to be correctly drawn, was read a third time; and it was passed to be
engrossed. Sent to the Senate for concurrence.

Id.

The Senate Bill expanding access to adoption (Senate, No. 2616), reported by
the committee on Bills in the Third Reading to be correctly drawn, was read a third
time.

Adoption,—
access.

Pending the question on passing the bill to be engrossed, in concurrence, Mr.
Lewis of Framingham moved to amend it by striking out all after the enacting clause
and inserting in place thereof the text contained in House document numbered 4566.

The amendment was adopted; and the bill (Senate, No. 2616, amended) was
passed to engrossed, in concurrence. Sent to the Senate for concurrence in the
amendment.

Order.

On motion of Mr. Mariano of Quincy,—

Ordered, That when the House adjourns today, it adjourn to meet on Thursday
next at eleven o'clock A.M.

Next
sitting.

At eighteen minutes after eleven o'clock A.M., on motion of Mr. Muradian of
Grafton (Mr. Donato of Medford being in the Chair), the House adjourned, to meet
the following Thursday at eleven o'clock A.M., in an Informal Session.